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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/052,809

11/02/2001

David Li

3207

25859

7590

06/02/2005

WEI TE CHUNG
FOXCONN INTERNATIONAL, INC.
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EXAMINER

LEUNG, CHRISTINA Y

ART UNIT

PAPER NUMBER

2633

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/052,809

Applicant(s)

LI ET AL.

Examiner

Christina Y. Leung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-16 and 18-21 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-4, 8-16 and 18-21 is/are allowed.
6) ☒ Claim(s) 5 and 7 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of current claims 5 and 7 (based on previously recited dependent claim 6, now canceled) is withdrawn in view of the newly discovered reference(s) to Mahlein (US 4,744,618 A). Rejections based on the newly cited reference(s) follow.
2. Claims 1-4, 8-16, and 18-21 are allowed. Reasons for indicating allowability for those claims were given in the previous Office Action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemoff et al. (US 6,198,864 B1) in view of Mahlein (US 4,744,618 A).

Regarding claim 5, Lemoff et al. disclose a method of extracting a selected channel from a multiplexed signal stream containing a plurality of channels (Figure 1), the method comprising the steps of:

- (1) providing a reflector (the reflector element comprising relay mirrors 30, 32, and 36 shown in Figure 1) and directing the multiplexed signal stream onto the reflector (for example, a multiplexed signal is directed from a filter 20 onto the reflector);

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(2) providing a thin film filter (filter 22) which receives the multiplexed signal stream reflected from the reflector and divides the signal stream into the selected channel and remaining channels (column 3, lines 7-22); and

(3) directing the remaining channels of the signal stream onto the reflector (Figure 1 shows how a signal at filter 22 is divided into a selected channel which goes through the filter and a group of remaining channels which are directed back to the reflector element; column 4, lines 59-62).

Lemoff et al. do not specifically disclose that the reflector is a concave mirror. However, Mahlein teach various mirror arrangements for optical communication systems related to the once disclosed by Lemoff et al. (Figures 1-5). Mahlein further suggests that a reflector may be a single large concave mirror 4 shown in Figure 1 or two small concave mirrors 4' and 4'' shown in Figure 4 (see column 2, lines 61-63). It would have been obvious to a person of ordinary skill in the art to replace the multiple mirrors in the system disclosed by Lemoff et al. (elements 30, 32, and 36) with a single large concave mirror as taught by Mahlein as an engineering design choice of a way to implement the reflector element. One in the art would have been particularly motivated to use a single concave mirror as taught by Mahlein in the system disclosed by Lemoff et al. in order to manufacture the reflector more easily as a single unified surface rather than having to manufacture multiple reflector surfaces.

Regarding claim 7, Lemoff et al. further disclose that the reflector comprises a glass body having a paraboloid surface, and a high reflective layer applied on the paraboloid surface (column 2, lines 38-44; column 3, lines 29-32).

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Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christina Y. Leung whose telephone number is 571-272-3023.

The examiner can normally be reached on Monday to Friday, 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on 571-272-3022. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


M. R. SEDIGHIAN
PRIMARY EXAMINER